

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.13895 of 2020

Arising Out of PS. Case No.-943 Year-2019 Thana- KHAGARIA District- Khagaria

Mithun Sahani, aged about 25 years (Male), S/o Ashok Sahani Resident of
Village- Sanhauli, P.S.- Chitragupta Nagar, Distt- Khagaria.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Praveen Kumar Agrawal, Adv.

For the Opposite Party/s : Mr.Mukesh Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE SHIVAJI PANDEY
ORAL ORDER

3 23-12-2020 Heard learned counsel for the petitioner and learned
counsel for the State.

In this case, the petitioner is apprehending his
arrest in connection with Khagaria (Chitragupta Nagar) P.S.
Case No. 943 of 2019 registered for offences under sections
30(a) of the Bihar Prohibition and Excise Act.

As per prosecution case, on 21.12.2019, the police
proceeded for night patrolling. When they reached near Power
House, Sanhouli, seeing the police, the accused persons fled
away from there. Thereafter, the police searched the place of
occurrence and recovered 13 liters 500 ml liquor from there.
The local Chowkidar and the local people disclosed the name of
persons including the present petitioner being involved in illegal
trade of liquor.

The petitioner has no criminal antecedent as has



been stated in paragraph no.3 of the present application.

Looking to the quantity of liquor seized as also considering the entire facts and circumstances of the case, let the petitioner, above named, in the event of his arrest or surrender before the court below within a period of four weeks from today, be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge, 2nd – cum – Special Judge, Excise Act, Khagaria in connection with Khagaria (Chitragupta Nagar) P.S. Case No. 943 of 2019, subject to the conditions as laid down under Section 438(2) of the Cr.P.C. as also subject to condition that whenever the police will call the petitioner for investigation/interrogation, he will remain present and if he would not present himself, the privilege of grant of anticipatory bail shall be deemed to have been canceled. It is also made clear that if the petitioner repeats the similar offence in future, the prosecution will be at liberty to file an application for cancellation of the bail.

(Shivaji Pandey, J)

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